

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.1847/91

Date of decision: 8/4/92

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S.D.Kinra

.. Applicant.

Versus

Union of India & ors. .. Respondents.

S.D.Kinra

.. Applicant in person.

Sh.M.L.Verma

.. Counsel for the respondents.

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice Chairman(J).
The Hon'ble Sh.I.P.Gupta, Member(A).

J U D G E M E N T (ORAL)

(Delivered by Hon'ble Sh.I.P.Gupta, Member(A)).

In this application the applicant requested for a direction to the respondents to compute the exchange rate ruling on 16.6.88 with an interest for three years for the purchase of expenses incurred in connection with/hearing aids. The case is that hearing aids amounting to U.S. Dollars 2050/- were purchased in Chicago. The Government of India agreed to reimburse the expenditure vide their letter dated 18.12.90 (annexure A2). In the order dated 9.1.91 in C.C.P.35/91 in O.A. 1277/90 the Principal Bench had held that it would not be appropriate to go into the equivalence of the U.S. Dollar with the Indian Rupee in effecting reimbursement of the claims like the one preferred in the instant case. The applicant was however given the approval to file a fresh application if he is aggrieved by the manner of computation. The applicant has now filed this O.A. as he still feels aggrieved by the manner of computation.

2. The point involved in this case is short and simple. The applicant purchased hearing aids and an amount equivalent to U.S.Dollar 2050/- was sanctioned. This was in the nature of reimbursement for the purchases already made. No profit can be made out of any sanction for the purpose like the one involved in

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this case. Therefore, the reimbursement should be claimed at the composite rate of exchange prescribed by the Ministry of Finance, Department of Economic Affairs, at the time when the hearing aids were actually purchased by the applicant in Chicago, subject of course to the satisfaction of other conditions like production of vouchers, cash memo etc., as brought out in the sanction letter of 18.12.90.

3. The applicant contends that the exchange rate prevalent in Chicago at the relevant time was Rs.14.16. However, this is a matter where it is not appropriate for us to decide what was the equivalent of the U.S. Dollar on that date and this matter is left to the Government of India to determine ~~the matter~~ appropriately as early as possible, keeping in view the contentions of the applicant also. We are not inclined to grant any interest since it has been mentioned at the outset that the transaction is in the nature of reimbursement.

4. With the above direction the case is disposed of with no order as to costs.

I.P.Gupta
(I.P.GUPTA) 8/4/92
MEMBER(A)

Ram Pal Singh
(RAM PAL SINGH) 6/8.4.92
VICE CHAIRMAN(J)